

1 REARDEN LLC, et al.,
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34 Plaintiffs,
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67 v.
89 THE WALT DISNEY COMPANY, et al.,
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11 Defendants.12 Case No. 17-cv-04006-JST
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1415 **ORDER RE DESIGNATIONS OF MIMI
16 STEELE'S DEPOSITION TESTIMONY**
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The Court rules as follows on the parties' objections to the designations and counter-designations of the March 11, 2020 and February 13, 2023 deposition testimony of Mimi Steele. ECF No. 598-1 at 159-170; 598-2 at 38-42.

<u>March 11, 2020 Deposition</u>		
<u>Plaintiff's Designations</u>		
<u>Designation/Counter-Designation</u>	<u>Objection</u>	<u>Ruling</u>
24:15-24:22	Untimely designation	Sustained
48:5-48:11	Untimely designation; the testimony concerns a deposition exhibit that is not a trial exhibit	Sustained
48:19-48:22	Untimely designation	Sustained
48:22	Question designated without answer; incomplete	Moot
110:2-110:11	Post-injunction conduct, Fed. R. Evid. 402, 403; the testimony concerns a deposition exhibit that is not a trial exhibit	Sustained
111:22-111:24	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled

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1	112:2	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
2	112:4-112:21	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
3	116:20-116:21	Untimely designation	Sustained
4	117:23-118:3	Untimely designation; assertion of privilege, Fed. R. Evid. 402, 403	Sustained as untimely
5	118:5	Untimely designation	Sustained
6	129:7-129:8	Untimely designation	Sustained
7	129:10-11	Untimely designation	Sustained
8	<u>Defendant's Counter-Designations</u>		
9	10:23-11:18	Improper counter-designation	Overruled
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11	<u>February 13, 2023 Deposition</u>		
12	<u>Plaintiff's Designations</u>		
13	17:4-17:5	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
14	17:9-17:14	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
15	17:22-18:8	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
16	18:14-18:16	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
17	18:18-18:25	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
18	19:2-19:12	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
19	22:1-22:9	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
20	22:15-22:18	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
21	23:12-23:14	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
22	23:18-23:19	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
23	24:4-24:17	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
24	25:2-25:6	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
25	25:12-25:19	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
26	26:2-26:13	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
27	26:15	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled

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1	29:3-32:18	Post-injunction conduct, Fed. R. Evid. 402, 403; hearsay	Sustained on hearsay grounds unless this exhibit is admitted at trial through another witness
2	35:25-36:2	Post-injunction conduct, Fed. R. Evid. 402, 403; hearsay	Sustained on hearsay grounds unless this exhibit is admitted at trial through another witness
3	36:6-36:13	Post-injunction conduct, Fed. R. Evid. 402, 403; hearsay	Sustained on hearsay grounds unless this exhibit is admitted at trial through another witness
4	36:19	Post-injunction conduct, Fed. R. Evid. 402, 403; hearsay	Sustained on hearsay grounds unless this exhibit is admitted at trial through another witness
5	37:19-37:22	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
6	38:1-38:5	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
7	40:10-40:24	Untimely designation	Sustained
8	41:13-41:21	Post-injunction conduct, Fed. R. Evid. 402, 403	Sustained on 403 grounds; question is argumentative
9	41:23-41:24	Post-injunction conduct, Fed. R. Evid. 402, 403; assertion of privilege	Sustained on 403 grounds; question is argumentative
10	42:6-42:8	Post-injunction conduct, Fed. R. Evid. 402, 403	Sustained on 403 grounds; question is argumentative
11	42:19-42:12	Post-injunction conduct, Fed. R. Evid. 402, 403; assertion of privilege	Sustained on 403 grounds; question is argumentative
12	44:2-44:5	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
13	44:7-44:8	Post-injunction conduct, Fed. R. Evid. 402, 403; assertion of privilege	Overruled

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1	44:9-45:4	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled
2	45:8-45:9	Post-injunction conduct, Fed. R. Evid. 402, 403; hearsay	Sustained
3	45:16	Post-injunction conduct, Fed. R. Evid. 402, 403; hearsay	Sustained
4	45:22-45:25	Post-injunction conduct, Fed. R. Evid. 402, 403; hearsay	Sustained
5	47:13-47:15	Copyright notice is irrelevant, Fed. R. Evid. 402, 403	Sustained on relevance grounds; the witness testified that she never reviewed camera output
6	47:22-47:23	Copyright notice is irrelevant, Fed. R. Evid. 402, 403	Sustained on relevance grounds; the witness testified that she never reviewed camera output
7	47:25-48:1	Copyright notice is irrelevant, Fed. R. Evid. 402, 403	Sustained on relevance grounds; the witness testified that she never reviewed camera output
8	48:8-48:9	Copyright notice is irrelevant, Fed. R. Evid. 402, 403	Sustained on relevance grounds; the witness testified that she never reviewed camera output
9	48:11	Copyright notice is irrelevant, Fed. R. Evid. 402, 403	Sustained on relevance grounds; the witness testified that she never reviewed camera output
10	48:13-48:16	Copyright notice is irrelevant, Fed. R. Evid. 402, 403; question designated without answer; incomplete	Sustained on relevance grounds; the witness testified that she never reviewed camera output
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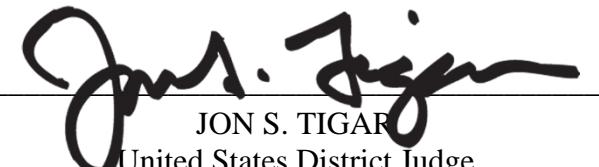
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1	48:21-25	Copyright notice is irrelevant, Fed. R. Evid. 402, 403	Sustained on relevance grounds; the witness testified that she never reviewed camera output	
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3	<u>March 11, 2020 Deposition</u>			
4	<u>Plaintiff's Counter-Designations</u>			
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7	8:20	Attorney objections, Fed. R. Evid. 402, 403	Sustained	
8	9:5-9:6	Attorney objections, Fed. R. Evid. 402, 403	Sustained	
9	13:3-13:4	Attorney objections, Fed. R. Evid. 402, 403	Sustained	
10	25:22	Attorney objections, Fed. R. Evid. 402, 403	Sustained	
11	27:2	Attorney objections, Fed. R. Evid. 402, 403	Sustained	
12	27:14-15	Attorney objections, Fed. R. Evid. 402, 403	Sustained	
13	128:17	Attorney objections, Fed. R. Evid. 402, 403	Sustained	
14	129:7-8	Calls for speculation; improper opinion	Overruled	
15	129:9	Attorney objections, Fed. R. Evid. 402, 403	Sustained	
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17	<u>February 13, 2023 Deposition</u>			
18	<u>Plaintiff's Counter-Designations</u>			
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20	10:24-11:15	The testimony concerns a deposition exhibit that is not a trial exhibit	Sustained	
21	18:22-19:12	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled	
22	19:1	Attorney objections, Fed. R. Evid. 402, 403	Sustained	
23	23:12-23:19	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled	
24	23:15	Attorney colloquy, Fed. R. Evid. 402, 403	Sustained	
25	25:2-26:15	Post-injunction conduct, Fed. R. Evid. 402, 403	Overruled	
26	25:20	Attorney colloquy, Fed. R. Evid. 402, 403	Sustained	
27	25:22-26:1	Attorney colloquy, Fed. R. Evid. 402, 403	Sustained	
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1	26:14	Attorney objection, Fed. R. Evid. 402, 403	Sustained
2	27:20-21	Attorney colloquy, Fed. R. Evid. 402, 403	Sustained
3	27:24-28:1	Attorney colloquy, Fed. R. Evid. 402, 403	Overruled

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5 **IT IS SO ORDERED.**

6 Dated: December 10, 2023


7 JON S. TIGAR
8 United States District Judge